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SUBJECT: ARMENIA: STAKEHOLDERS IDENTIFY GAPS IN REFUGEE PROTECTION,
BUT FUNDS TO FILL THEM REMAIN ELUSIVE

11. (U) Summary: A draft UNHCR Armenia conference report on November 2008 stakeholders' consultations identifies significant legal, economic, and social challenges to refugees' integration in the impoverished former Soviet republic. While it makes dozens of recommendations for strengthening protection of forced migrants, the report is vague as to who will have to bear ultimate responsibility for a durable solution. Sparse donor attendance at the consultations carries the risk that inter- and non-governmental organizations and the GOAM itself will lack adequate resources to achieve their laudable goals. Refugees who participated in the consultations expressed deep frustration with their living conditions to date. End Summary.

12. (U) UNHCR Armenia organized national consultations on "Strengthening Capacity to protect Refugees in Armenia" November 6-7, 2008, in Yerevan. The conference brought together mainly government, United Nations, and domestic NGO participants to analyze achievements and remaining gaps in the Armenian refugee protection system. The only donor representatives present were PRM's Moscow-based Refcoord, Embassy Yerevan USAID staff, and the Head of Operations and European Neighborhood Policy Section of the Delegation of the European Commission to Armenia. UNHCR Armenia Representative Bushra Halepota reported out the conference findings in a draft memorandum circulated December 22.

Gaps in Full Integration of Refugees in Armenia

13. (U) While Armenia is a party to the 1951 Refugee Convention and its 1967 protocol, and Yerevan officially welcomes individuals fleeing persecution, stakeholders participating in the November consultations agreed that the country's asylum regime does not meet international standards. Conference participants identified the follow protection gaps, inter alia:

-- Asylum seekers are not clearly exempt from prosecution for illegal entry into Armenian territory and are thus at risk for refoulement. (Note: In response to Refcoord's query, UNHCR said it had no statistics on actual refoulement; however, a governmental working group on border management has been meeting periodically since August to develop a referral mechanism for border guards who identify would-be asylum seekers. End Note.)

-- Border guards have inadequate knowledge of asylum law, refugee status determination procedures, and the role of the State Migration Agency (SMA).

-- Separate application processes exist for temporary asylum (TA) and refugee statuses, and applicants are not well informed as to the advantages and disadvantages of one over the other. TA is relatively easy and quick to obtain but does not afford crucial housing benefits as refugee status does.

-- Negative asylum decisions are vague and issued only in the Armenian language, thus hampering effective appeals; furthermore, asylum seekers are not issued with legal i.d. for the duration of

their cases, putting them at risk of detention and again of refoulement.

-- No group recognition mechanism exists for prima facie refugees in mass influxes, e.g. as might have been anticipated from Georgia if there had not been an early ceasefire. (Note: As of the date of the consultations, SMA had received 108 asylum applications from persons from Georgia and nine asylum applications from persons from South Ossetia. End note.)

-- SMA eligibility and registration staff lack standard operating procedures and guidelines.

-- Refugee service providers lack adequate awareness of post-traumatic stress syndromes and sexual and gender-based violence (SGBV) issues.

-- Access to free health care, supposedly a right of refugees, does not exist de facto. (Note: As elsewhere in the region, due to inadequate resourcing by the state doctors and hospitals expect payments under the table for their services and/or require patients to purchase necessary medical supplies on the economy. End note.)

-- Housing schemes to house refugees have fallen far short of meeting the need for climate-appropriate shelter. Existing collective centers are in such poor repair as in some cases to merit condemnation.

¶4. (U) These gaps have resulted in troubling statistics for Armenia's approximately 5,000 refugees:

-- Unemployment for refugees is 2.5 times higher than for the rest

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of the population.

-- Per capita income of refugees is three times lower than that of the rest of the population.

-- Many refugees only get one meal a day.

-- School drop-out rates for children of refugee families are two to three times higher than the national average.

-- With current government budgets, it will take 20 years to house all the refugee families in need of shelter assistance.

Key Recommendations...

¶5. (U) While some GOAM officials present at the consultations spoke to defend their agencies' existing programs, they were outnumbered by academics (from, e.g., the American University of Armenia, the Open University of Armenia, Yerevan State University, and Progress University of Gyumri), domestic NGO representatives (from, e.g., Mission Armenia, the Armenian Center for Health and Education, and YMCA Shelter), and individual refugees who pled for extensive reform. These civil society representatives ultimately agreed that the way forward should involve:

-- Harmonization of legislation pertaining to rights of refugees, with emphasis on decriminalization of asylum seekers' unlawful entry.

-- Training of border and SMA officials and introduction of clear regulations on how effectively and efficiently to identify and document persons in need of international protection.

-- Training of courts on proper application of refugee law.

-- Elaborating a standard format for justifications of negative decisions on asylum claims.

-- Provision to asylum seekers of identity documents valid throughout the application and appeal processes and accompanied by a leaflet indicating asylum seekers' rights and obligations.

-- Provision to refugees of social and legal counseling to explain their shelter and property rights and facilitate the exercise of these rights.

-- Dissemination of information to the population of concern on smuggling, trafficking, SGBV, and other forms of abuse.

-- Development of preschool training programs, including language training, for refugee and asylum seeker children and adolescents; and of self-reliance and vocational training programs for teens and adults.

...And Harsh Reality

16. (U) Entreaties by the invited refugees brought a sense of urgency to the proceedings. A woman originally from Azerbaijan said that throughout her 20 years in Armenia she had lived in a remote village where winter temperatures dropped to minus 35. The closest village with a school, grocery store, and pharmacy was 14 kilometers away, making children's education an ongoing challenge (note: as the state does not provide school buses; end note). Mission Armenia had been funded to help the community from 2002 to 2006; the year after it stopped working there, some 19 people, including the woman's sister and brother-in-law, both 44, had died for lack of medical care. The woman regretted that various needs assessments have been performed in the village for the past couple of years, but they have not led to any new assistance. Being a refugee is undignified, she mourned, "like a spot that you can't wash away."

17. (U) Lisa Toros, an ethnic-Armenian from Iraq, was present to represent Armenia's newest refugee population, now numbering close to a thousand. After two years in Yerevan, Toros, a 41-year-old who had been managing director of a computer and office equipment service company in Baghdad, was unemployed and, she confided to Refcoord, frustrated. Armenian authorities are all talk and no action when it comes to accommodating forced migrants, she complained. Armenia is too poor to take refugees and should not offer to do so, she said. She could not obtain her mother's heart medicine in Armenia and, ironically, had to continue to import it from Iraq. Without local connections, she could not find a job. Acquaintances who had fled to Western Europe received public assistance, but in Armenia her family did not. Armenian culture also grated on Toros - she rued the lack of friendly greetings in the market and the small apartments that felt confining after Iraq's

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big houses with gardens.

18. (U) Toros is lucky, after a fashion: she and her family (mother, sister, twin brother, and brother's wife and three daughters) were able to bring some money and belongings with them from Baghdad. Newer Iraqi refugees are arriving without any means to survive because they did not have a chance to sell their properties before leaving Iraq. And what very few middle class jobs exist in Armenia generally require fluency not only in Eastern Armenian language (whereas the Iraqis speak Western Armenian) but in Russian (which the Iraqis do not speak at all). One Iraqi at the consultations said his mother had come to visit from Iraq and, when she saw how his family was living in Armenia, advised them to return with her.

Directions for Donors

19. (U) UNHCR's Halepota appeared to take an ambivalent view toward her agency's - and, by extension, government donors' -- responsibility to meet the demands on it inherent in the stakeholders' recommendations and refugees' frustrations. On the one hand, she stressed in November and reiterated in the draft conference report that "refugees naturalize without being fully integrated socially and economically in the Armenian society. Therefore, UNHCR seeks...to continue to assist the most vulnerable refugees including the naturalized former refugees until a durable solution is achieved through their full local integration." On the other hand, she openly acknowledged the dubiousness of UNHCR

continuing to fund shelter for refugees from Azerbaijan 20 years after they were uprooted. And in implicit acknowledgment of the dearth of donors present, she announced plans to raise consciousness in wealthy Armenian communities abroad of refugees' struggles in the motherland.

¶10. (U) The consultations' conclusions were rather vague regarding to whom would fall responsibility for acting on stakeholders' recommendations. The draft report mentions donors only three times in 29 pages, advising as follows:

-- donors (and others) should initiate projects targeting vocational training needs for refugees while widening the choice of professions.

-- donors and other relevant partners should develop a strategy for elaborating an effective SGBV reporting and response mechanism.

-- donors and other relevant partners should assist the GOAM in providing health care to the population of concern "through a rights-based advocacy approach and jointly elaborated effective referral mechanisms."

In addition, the report quotes Deputy Head of the SMA David Hakobyan calling on the "international community" to help resolve housing needs.

¶11. (U) In championing Armenia's claim to the international community's consideration, Halepota repeatedly returned to the country's uniquely constructive attitude toward refugee reception. "It is no exaggeration that the hospitality shown refugees here exceeds that in many places with fewer refugees and greater wealth," she declared. The challenge is to leverage the positive governmental and societal attitudes into resources for capacity-building and programming that facilitate full legal, social, and economic integration. Refugees, Halepota urged listeners, should not have to leave Armenia because the means do not exist for them to live in dignity there.

Comment

¶12. (U) Host nation poverty combined with the donor world's focus on areas with ongoing violent conflict mean that financial solutions to refugees' duress will likely only emerge from the private sector. The GOAM will need to incentivize domestic corporate donorship, and IGO's and NGO's will need to approach wealthy diaspora communities in order to re-resource modest existing assistance programs. Fortunately the flow of Iraqi refugees to Armenia seems to have slowed, if only because word has gotten back about poor economic prospects and high barriers to social integration in their ancestral home.

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